

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking on the
Commission's Own Motion into Competition For
Local Exchange Service.

Rulemaking 95-04-043
(Filed April 26, 1995)

Order Instituting Investigation on the
Commission's Own Motion into Competition For
Local Exchange Service.

Investigation 95-04-044
(Filed April 26, 1995)

**ADMINISTRATIVE LAW JUDGE'S RULING
GRANTING REQUEST FOR EXTENSION OF TIME
TO SUBMIT NUMBER POOLING COST DATA**

By letter dated February 22, 2002, Verizon California, Inc. (Verizon) submitted a letter to the assigned Administrative Law Judge (ALJ) requesting a delay in meeting the March 5, 2002 deadline for filing additional number pooling cost recovery data as set forth in the ALJ ruling dated February 5, 2002. Verizon claims that carriers that incur number pooling costs to comply with state requirements before they would otherwise incur costs to comply with federal requirements are to be reimbursed at the state level for the "advancement costs" of early implementation under Federal Communications Commission (FCC) rules. Because the FCC has not yet set a date on which carriers will be permitted to recover their federal number pooling costs, Verizon claims that it is impossible for it to calculate its state-specific advancement costs.

Verizon argues that the federal cost recovery date must be set before the advancement costs of state level number pooling can be accurately identified. On that basis, Verizon requests that the Commission extend the date for Verizon to file its number pooling cost recovery data that is currently due on March 5, 2002, until 30 days after the FCC establishes the federal cost recovery mechanism. Verizon states that it has contacted Pacific Bell (Pacific) regarding its requested extension and Pacific has stated that it does not object to Verizon requesting an extension.

Discussion

In this ruling, no judgment is made as to the substantive merits of Verizon's argument concerning its inability to identify state-specific "advancement costs," or how this, in turn, may impede its ability to respond to the ALJ ruling for additional state-specific number pooling cost data. Nonetheless, Verizon's request for an extension will be conditionally granted. The extension is granted on the condition that Verizon notifies the FCC in writing that although the Commission has taken action to implement state-mandated number pooling cost recovery, Verizon has requested the extension on the terms indicated in its letter. Thus, Verizon shall inform the FCC that implementation of Verizon's cost recovery for state-mandated number pooling will be deferred because Verizon has initiated the request for delay, and not because of any delay in Commission efforts to comply with FCC directives.

This grant of extension in Verizon's deadline for complying with the ALJ ruling in no way relieves Pacific of the deadline imposed on it to provide information that is responsive to the ALJ ruling.

IT IS RULED that:

1. Verizon California, Inc. (Verizon's) requested extension in the deadline to comply with the February 5, 2002 Administrative Law Judge (ALJ) ruling regarding number pooling cost data is conditionally granted.

2. As a condition of the extension, Verizon must promptly notify the Federal Communications Commission (FCC) in writing that although the Commission has taken action to obtain necessary data to implement number pooling cost recovery, Verizon has requested the delay pursuant to the terms indicated in its letter. Verizon shall inform the FCC that implementation of Verizon's cost recovery for state-mandated number pooling is being deferred because Verizon has requested the delay, and not because of any delay in Commission action to comply with FCC directives.

3. This grant of extension in Verizon's deadline for complying with the ALJ ruling in no way relieves Pacific of the deadline imposed on it to provide information that is responsive to the ALJ ruling dated February 5, 2002.

Dated March 6, 2002, at San Francisco, California.

/s/ THOMAS R. PULSIFER

Thomas R. Pulsifer
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Granting Request for Extension of Time to Submit Number Pooling Cost Data on all parties of record in this proceeding or their attorneys of record.

Dated March 6, 2002, at San Francisco, California.

/s/ JACQUELINE GORZUCH
Jacqueline Gorzoch

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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R.95-04-043/I.95-04-044 TRP/jgo